

10-17-07

PATENT

Docket No.: 5218-39B

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re: Anagnostou et al.

Serial No.: 09/525,797

Filed: March 15, 2000

For: *METHOD OF TREATING ENDOTHELIAL INJURY*

Confirmation No. 9917

Group Art Unit: 1642

Examiner: Susan Ungar

October 16, 2007

Mail Stop 313(c)  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REMARKS ACCOMPANYING  
REQUEST FOR CONTINUED EXAMINATION**

Sir/Madam:

These remarks are being submitted concurrently with the filing of a Request for Continued Examination ("RCE"), an Information Disclosure Statement ("IDS") and a Petition to Withdraw from Issue ("Petition").

Applicants have submitted the Petition to permit consideration of the IDS and accompanying documents. The accompanying documents are those that have been filed in an Opposition Proceeding in the European Patent Office (EPO) for corresponding European Patent No. 0933995 (European Patent Application No. 97940974.5). Applicants note that some of the references submitted with the IDS have been previously considered by the Examiner and are re-submitted in order to complete the record of documents as submitted in the EPO proceeding. More specifically, the citations listed on the IDS as D3, D6, D8, and D9 were previously submitted on an IDS dated January 21, 2002; citations D4, D5, D7 and D10 were previously submitted on an IDS dated October 31, 2005; and citations D12 and D13 were previously submitted on an IDS dated November 29, 2006.

Applicants respectfully request consideration of these documents, and Applicants respectfully submit that the pending claims are patentable over the currently submitted documents at least in view of the reasons previously made of record and further in view of previously considered references.

10/17/2007 RFEKADU1 00000029 500220 09525797

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Adjustment date: 10/18/2007 TLWU11

10/17/2007 RFEKADU1 00000029 500220 09525797

01 FC:1464 130.00 CR

Attorney Docket No.: 9099.2DV  
Application Serial No.: 10/078,310  
Filed: February 18, 2002  
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Accordingly, Applicants submit that the present application is in condition for allowance and the same is respectfully requested. The Examiner is encouraged to telephone the undersigned at 919-854-1400 for resolution of any outstanding issues.

Respectfully submitted,



Shawna Cannon Lemon  
Registration No. 53,888

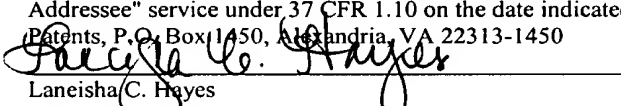
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**CERTIFICATE OF EXPRESS MAILING**

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